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**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

THE TORONTO-DOMINION BANK,

Plaintiff,

v.

PLAID INC.,

Defendant.

Civil Action No. 1:20-cv-14424-RMB-AMD

**STIPULATION EXTENDING TIME TO
ANSWER, MOVE, OR OTHERWISE
RESPOND TO COMPLAINT**

Plaintiff The Toronto-Dominion Bank (“TD”) and Defendant Plaid Inc. (“Plaid,” and together with TD, the “Parties”), hereby agree and stipulate that good cause exists to request an order from the Court extending Plaid’s time to respond to the Complaint.

WHEREAS, on October 14, 2020, TD filed a Complaint for Trademark Counterfeiting, Trademark Infringement, False Designation of Origin, False Advertising, and Unfair Competition under the Lanham Act, 15 U.S.C. § 1051, *et seq.* and New Jersey statutory and common law.

WHEREAS, the Complaint was served on Plaid on October 16, 2020.

WHEREAS, Plaid's response to the Complaint was originally due on November 6, 2020.

WHEREAS, on November 4, 2020, the Honorable Magistrate Judge Joel Schneider entered a stipulated order extending Plaid's deadline to respond to the Complaint to December 7, 2020.

WHEREAS, in view of the holidays and exploratory settlement discussions, the Parties filed a stipulation extending Plaid's deadline to respond to the Complaint to January 29, 2021, which the Court granted.

WHEREAS, the Parties continued to engage in settlement discussions in February 2021, and filed a stipulation extending Plaid's deadline to respond to the Complaint to March 1, 2021, which the Court granted.

WHEREAS, the Parties are engaged in ongoing discussions regarding a possible resolution. They have exchanged various proposals and are in weekly contact. Therefore the Parties believe that, in the interest of efficiency and judicial economy, good cause exists to defer Plaid's response deadline by another thirty days to March 31, 2021. This extension would allow the parties to continue their discussions, which have been productive.

WHEREAS, this is the fourth extension of time requested by the Parties in this action, and the requested extension will not affect any other dates or deadlines in the case.

NOW, THEREFORE, the Parties, subject to Court approval, hereby stipulate as follows:

1. Plaid's obligation to answer, move to dismiss, or otherwise respond to the Complaint is extended until March 31, 2021;
2. Nothing in this stipulation shall be construed as a waiver of any party's rights or positions in law or equity, or as a waiver of any defenses that Plaid would otherwise have to the Complaint, including, without limitation, jurisdictional defenses.

IT IS SO STIPULATED.

Dated: February 26, 2021

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER LLP

By: /s/ Samuel V. Eichner

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*Attorneys for Plaintiff The Toronto-Dominion
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Dated: February 26, 2021

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Attorneys for Defendant Plaid Inc.

[PROPOSED] ORDER

Pursuant to stipulation, **IT IS SO ORDERED.**

DATED: _____, 2021

HONORABLE ANN MARIE DONIO
UNITED STATES MAGISTRATE JUDGE

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